

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*,¹

Debtors.

AD HOC COMMITTEE OF NON-US
CUSTOMERS OF FTX.COM,

Plaintiffs,

v.

FTX TRADING, LTD., *et al.*

Defendants.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

Adv. Pro. No. 22-50514 (JTD)

Ref. Nos. 1, 4, 8, 10, 16 & 18

CERTIFICATION OF COUNSEL

I, Matthew B. McGuire, counsel to FTX Trading Ltd. and its affiliated debtors and debtors-in-possession (collectively, the “Debtors”), hereby certify as follows to the best of my knowledge, information and belief:

1. On December 28, 2022, the Ad Hoc Committee of Non-US Customers of FTX.com (the “Plaintiffs” or the “Ad Hoc Committee”) filed the *Complaint for Declaratory Judgment* (the “Complaint”) [Adv. D.I. 1] in the above-captioned adversary proceeding (the “Adversary

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification numbers are 3288 and 4063, respectively. Due to the large number of debtor entities in these chapter 11 cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://cases.ra.kroll.com/FTX>. The principal place of business of Debtor Emergent Fidelity Technologies Ltd is Unit 3B, Bryson’s Commercial Complex, Friars Hill Road, St. John’s, Antigua and Barbuda.

Proceeding”) against FTX Trading Ltd., *et al.*², (collectively, the “Debtor Defendants” and together with the Plaintiffs, the “Parties”).

2. On December 29, 2022, the Plaintiffs served a copy of the Complaint on the Debtor Defendants.

3. On January 31, 2023, the Parties entered into the *Stipulation Extending Time to Respond to the Complaint* [Adv. D.I. 4], whereby the Parties agreed to extend the Debtor Defendants’ deadline to answer, move or otherwise respond to the Complaint to February 10, 2023.

4. On February 10, 2023, the Debtor Defendants filed the *Motion of Debtors for Entry of an Order Extending Time to Respond to the Complaint* [Adv. D.I. 6].

5. On March 1, 2023, the Court entered an order [Adv. D.I. 8] under certification of counsel further extending the Debtor Defendants’ deadline to answer, move or otherwise respond to the Complaint to April 14, 2023.

6. On March 24, 2023, the Plaintiffs filed the *Ad Hoc Committee of Non-US Customers of FTX.com’s Motion for Partial Summary Judgment* [Adv. D.I. 10].

7. On April 17, 2023, the Court entered an order [Adv. D.I. 16] further extending the Debtor Defendants’ deadline to answer, move or otherwise respond to the Complaint to April 21, 2023.

8. On April 21, 2023, the Court entered the *Order Approving Stipulation Staying the Adversary Proceeding* [Adv. D.I. 18], staying the adversary proceeding, through and including July 31, 2023

9. The Parties have conferred and agree that the Adversary Proceeding shall be stayed indefinitely, unless otherwise agreed to by the Parties or further order of the Court.

² The Complaint names each of the Debtors in these Chapter 11 Cases as a Defendant. A list of the Debtor-Defendants subject to the Complaint is attached as Exhibit A to the Complaint.

10. The Parties' stipulation is attached as **Exhibit A** to the proposed form of order approving the stipulation, which is annexed hereto as **Exhibit 1** (the "Order").

11. Accordingly, the Parties respectfully request that the Bankruptcy Court enter the Order at its earliest convenience.

Dated: August 1, 2023
Wilmington, Delaware

LANDIS RATH & COBB LLP

/s/ Matthew B. McGuire

Adam G. Landis (No. 3407)
Matthew B. McGuire (No. 4366)
Kimberly A. Brown (No. 5138)
Matthew R. Pierce (No. 5946)
919 Market Street, Suite 1800
Wilmington, Delaware 19801
Telephone: (302) 467-4400
Facsimile: (302) 467-4450
E-mail: landis@lrclaw.com
mcguire@lrclaw.com
brown@lrclaw.com
pierce@lrclaw.com

-and-

SULLIVAN & CROMWELL LLP

Andrew G. Dietderich (admitted *pro hac vice*)
James L. Bromley (admitted *pro hac vice*)
Brian D. Glueckstein (admitted *pro hac vice*)
Alexa J. Kranzley (admitted *pro hac vice*)
125 Broad Street
New York, NY 10004
Telephone: (212) 558-4000
Facsimile: (212) 558-3588
E-mail: dietdericha@sullcrom.com
bromleyj@sullcrom.com
gluecksteinb@sullcrom.com
kranzleya@sullcrom.com

*Counsel for the Debtors
and Debtors-in-Possession*